

COMMISSIONERS APPROVAL

CHILCOTT *gc*

LUND *BL*

THOMPSON *AT*

TAYLOR (Clerk & Recorder)

Date.....February 24, 2006

Members Present..... Commissioner Greg Chilcott,
Commissioner Betty Lund and Commissioner Alan Thompson

Minutes: Glenda Wiles

The Board met with Professor John Horwich in regard to the Old Corvallis Road Area 3 Neighborhood Plan. John offered a power point presentation defining the Neighborhood Plan, including the geographic boundaries. If adopted, the plan will be an amendment to City and County growth policies. Numerous meetings have been held with community members, advisory boards and the two jurisdictions. The final draft plan was submitted in January 2005. A public hearing will be held on March 8th, which is a joint City/County Planning Board hearing in order to take public comment. Recommendations will then be made to adopt with revisions. If adopted, the implementation process will begin. The area has approximately 487 acres with 32 separate tax assessor parcels. Six parcels are currently owned by the Besseney family or the Bitterroot Stock Farm, comprising approximately 75% of this area.

The general goal is to establish a comprehensive set of long-range goals and goal-related policies to guide future growth and development of the area, utilizing a fifteen-year time frame. One of the strategies of this plan is to provide an increased level of predictability to land owners, neighbors and developers about where and how growth can be accommodated in ways that are compatible with fiscal, cultural and environmental concerns. Growth and development should be encouraged where it can best be accommodated and served by existing and future public facilities. One goal is to retain the integrity of the entrance to the Daly Mansion off the Eastside Highway, the view of and from the Daly Mansion to the west, and the historic tree-lined drives.

Another goal is to adopt a zoning and land use plan that encourages and provides incentives for development plans that preserve the area extending west/ northwest from the Daly Mansion to a line 750 feet east of Old Corvallis Road as open space. John also noted as subdivisions are developed, the streets should connect so there is consistency in the area, while allowing for a variety of housing types.

In an overall view, public open space within the Neighborhood should be planned on the basis of the entire Neighborhood, rather than subdivision-by-subdivision or development-

by-development. The plan should include a park and open space, and should be located and designed to enhance the existing Daly Mansion.

In regard to economic development goals and strategies, the land use plan should be adopted for the Neighborhood that establishes Old Corvallis Road as a business corridor throughout the entire length of the Neighborhood. The area should be planned to attract new and foster the growth of existing knowledge-based businesses, which pay higher than prevailing wages. This area will not compete with the downtown businesses. Sites should be professional offices and limited support facilities serving businesses and residents with the Neighborhood. The site size should range from 3 to 20 acres. Incentives should be adopted to encourage the combination of these smaller lots for redevelopment. Where smaller lots are not combined, the use of shared driveways and parking areas should be encouraged.

The plan also addresses the commercial design principles, which would be consistent and adopted for all improvements built along Old Corvallis Road. The business corridor should have a consistent, high-quality image to attract knowledge-based businesses with good-paying jobs. Mass transit will be considered. The business image considerations will include enhanced landscaping, street lighting, walkways and signage. Efforts should be made to discourage through-traffic on Old Corvallis Road.

In regard to housing goals, the average overall housing density, based on infrastructure capacity, in the area shall be 2.9 dwelling units per net residential acre, resulting in 840 dwelling units at build-out. 115 of these dwelling units would be located in the southeast corner of the neighborhood, bounded by Fairgrounds Road and the Eastside Highway, with sewer service provided by gravity flow. Developers should be offered the opportunity to increase densities up to 10 dwelling units per net residential acre. The Neighborhood would not exceed 840 dwelling units.

The plan encourages a variety of housing styles and densities. All development within the Neighborhood should include the use of public water and sewer. This shall include a non-motorized trail system within each neighborhood and provides connections to trail systems accessing public parks, the Daly Mansion and other residential neighborhoods and business areas. These connections shall be accomplished by trail systems that are separate from the street system.

The implementation will include the amendments to the Hamilton and Ravalli County Growth Policies, a City and County zoning and amendments to the City and County Subdivision Regulations.

Questions from the audience included the parkland dedication and the dedication of the easements, such as sidewalks, in order to obtain access to the parklands. Developing smaller parks rather than one large park was suggested, along with an underground or above ground walkway across Highway 93 to the Hieronoyms Park. The plan calls for a 40-acre park, which includes the lake, and the ownership of the park will need to be addressed by the City or County. This is a natural park.

In other business the Board met with the Local Government Study Commission Members, Alec Sutherland, Howard Anderson, Vicki Bohlig and Ex-Officio Member Glenda Wiles. Vicki requested the Commissioners review the original request of \$30,850.00 to fund this study. Alec said the County allocated \$5,000.00 and the Study Commission only spent \$1,400; the balance was transferred back into the General Fund. The County allocated another \$5,000.00 and the Study Commission has spent \$456.00, with mailings and general education of the public still to be completed. The job cannot be done for less than this amount.

Jim Parker, chairman of Hamilton City Local Government in 1995, said a way to communicate with the public is necessary and funding must be provided. This only happens every ten years. It is a valuable investment. It averages to \$3,000.00 per year.

Ben Hellicoss said he attended three or four presentations; they were good discussions. Attendance is growing. The public must be educated so they understand what they are voting on in the fall election. Voters need to understand the issues when they vote.

Phyllis Bookbinder said the Study Commission has done an exceptional job. Meetings went from town to town in the middle of winter. A proper job will require funding. This is one time in ten years. People are in support of a change.

Torri Nobles asked to have funding for the Study Commission; funding must be provided to educate the public.

Kathleen Driscoll would be willing to run again if necessary; she stated people will judge the Board of County Commissioners to be self-serving if they don't fund the Study Commission adequately. Alec stated they have not put anything on the table as yet.

Gail Knox said she assumed the process would be funded. She presented letters from her and her husband. She said it is unfair for the County to spend Study Commission money.

Lonnie Bookbinder said she supports the County supporting and funding this project.

Vicki Bohlig said we all know the costs of advertising/mailers: 15,000 mailers and local display advertising. That is most of the costs. One mailing is \$8,500.00, and we want to do three: a survey, a draft and final, along with brochures, etc.

Howard Anderson said the Study Commission has been paying their expenses for travel, gas, the website, post office box, etc. He has attended 50-60 meetings. He added they are not seeking gas money, but need the other items funded.

Vicki said the balance of the 2005 money should have returned to the Study Commission (\$3,600.00) rather than the General Fund. The ballot included the funding which was rejected by the voters.

Commissioner Thompson asked how to reconcile the people voting against any funding. 63% voted against funding it at \$15,000.00, so could that be reconciled?

Glenda asked how the funding language got to the ballot. Commissioner Thompson said they did not do it. Commissioner Lund said the Board of County Commissioners worked with James and directed it to be put there. Glenda said the voters did not want to impose a mill levy but they might have wanted the funds to come out of the General Fund.

Alec stated without adequate funding the Study Commission would be unable to do the job entrusted to them. Rejecting the mill levy wasn't rejecting the process, since the people obviously wanted it.

Howard said the law clearly defines the study has to be funded. The people probably did not want a mill assessed, but they want the Study. People need to be educated on County government. Printing and postage costs must be met by the County.

Commissioner Chilcott said he appreciates the desire to educate the public on forms of government. He did not have the knowledge when he took the job. But his concern is the 3:1 margin that the voters did not want to spend any money. Voters want road maintenance, road construction, planning, law enforcement, etc. and they went through the process to cut the pie. They made the best decision with the money available. They need to review this. But the vote was approx: 1900 for and 5190 against the mill levy (73%). Now the Study Commission is asking to pay for this out of the general fund, so where do they get this money.

Commissioner Lund said 7-3-184 MCA allows the solicitation of funds. Howard stated they do not want to solicit because they do not want to become associated with special interest groups. Howard stated they are trying to make this apolitical. Commissioner Lund said there is the Rapp Foundation; they are not affiliated with anyone.

Howard and Alec said this is a legitimate, constitutionally mandated function of government. Vicki said they are private individuals who have no time to be fund raisers.

Commissioner Lund asked Howard about the Bozeman workshop: did Ken Weaver have any suggestions for money? Howard stated Ken Weaver advised him to obtain the money from the Commissioners, and to work within the courthouse and not get involved in special interest groups.

Commissioner Thompson commended the Commission for their work time. He would look again to see how assistance could be provided; he is opposed to the Commission members spending their own money. President Bush's budget had a 15% decrease in PILT funds, which will be ¼ million dollars and \$200,000 in the secure rural schools. If that budget passes this could get ugly.

Howard stated they visited with George Corn for the review process. Commissioner Lund stated she would call RAPP to obtain money. Vicki said they applied to RAPP in the last grant cycle and were denied.

Alec stated they appreciate the fiscal restraints of the County, and with that in mind have prepared a thrifty budget.

Glenda stated according to subsection 4 of the statute, it notes that the funds, if not expended from one budget year to the next, can be rolled over. She indicated they were very frugal last year and had \$3,500.00 left over, but Commissioner Lund indicated they were going to put that money back into the general fund. Glenda asked if they could have the left over funds of \$3,500 to go with their budget of \$5,000.00 this year. Commissioner Thompson responded he was unaware that the money was put back into the general fund, and the money should be given back to the Study Commission.

James, now present, said he was asked for information on the ballot language. In a March 1, 2004, memo to the Board of County Commissioners and Clerk and Recorder, in regard to ballot language, he suggested they follow the exact ballot language in the statute and his opinion not combine the approval with the mill levy. The Attorney General's opinion was consistent with his opinion of the draft, and Lexus shows the Attorney General's opinion was finalized: election of local government study can not combine the mill levy question with the local government study. So it must be a separate question.

Alec said there is still no provision from MCA to put this second issue on the ballot. James said it can be done by petition or by the Commissioners. So the authority came from the Commissioners.

Commissioner Lund stated the Commissioners put the language for funding on the ballot. They worked on it for over a week.

Commissioner Chilcott said this is an unfunded mandate from the citizens. SB 185 is anticipated to cost approximately \$100,000 for an impact fee analysis. SB 116 required a re-write and neither was funded.

Vicki stated it was originally funded and was then taken away.

James addressed the office space, clerical, meeting space under MCA 7-3-184. Alec asked if copying was part of the requirement. James said it was not interpreted by the courts from the Attorney General.

Commissioner Lund said she would like to sit with Klarryse and discuss it; they probably would not find \$30,000. She suggested putting the survey in the newspaper, which would save one of the mailings. Distribute the survey to businesses, and at meetings.

Alec stated they want to distribute to all voters, not just the 6,500 people who subscribe to the Ravalli Republic. He expects to use the internet web page.

Jenny Johnson was asked to put the survey in the Ravalli Republic. She responded that this is not her decision to make. Howard stated if they went out and did something stupid they might get some coverage.

Gail Knox said going to these meetings has been an education. They have done a good job of informing and educating us. This has not been an easy task. Hopefully they will get the funding to get this information to the public.

Ben Hellicoss said asking the Study Commission members to solicit funds is like having the sheriff go door-to-door. If money cannot be found any other way, then the Board of County Commissioners should attend the meetings and pass the hat or get grant money. Email is a good avenue, too.

Phyllis said she voted for the Study Commission, but voted against the funding because she did not want her taxes affected, but did not mean she did not want it funded. Commissioner Chilcott said they can't print money when they run out. Phyllis stated just because they did not impose a mill does not mean they didn't want it funded.

Coreene Gantt asked if the County can do the printing. Commissioner Lund said they could put an insert in the voter pamphlet in November. Nedra stated she would check; the pamphlet comes out 30 days before election.

Kathleen said this is important and the commission has done a lot of work. The value of the work needs to be seen.

Commissioner Lund said they would take it under advisement and visit with accounting to find money. Commissioner Thompson asked if they can incorporate the '05 budget rollover. Commissioner Lund said that can be ministerial. Commissioner Thompson said the code is very specific. Commissioner Lund said they can a budget amendment later. Commissioner Lund made a motion to take the matter under advisement, visit with Accounting in order to find other budget sources. Commissioner Thompson seconded the motion and all voted "aye".

In other matters the Board addressed a Certificate of Survey, prepared by Surveyor Steve Powell, which allows a small section of land (1.83 acres) owned by the Duus to be transferred to the Golf Course. The Duus want to give this to the Golf Course but before it be recorded, a deed would need to be accepted, since the County is the actual owner of the Golf Course. Present at this meeting was Clerk & Recorder Nedra Taylor and Linda Biesel, and Civil Counsel James McCubbin. James expressed concern that the County would be losing the tax revenues. It will be an agricultural piece aggregated to the Golf Course. If the Golf Course does not want it, then the Duus are gaining and not paying taxes. The question is: does the Golf Course want this? If not, then we need to review why the Duus want to give it to the county. The Commissioners agreed to set a meeting with Steve and the Golf Course for next week.

Commissioner Lund made a motion to appoint Bill Stephani as the Veteran Burial. Commissioner Thompson seconded and all voted "aye".